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PATENT  
Attorney Docket No. 056291-5214

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ABRAHAMSSON *et al.* )  
Application No.: 10/551,999 ✓ )  
Filed: October 4, 2005 )  
For: USE OF AN IBAT INHIBITOR FOR THE )  
TREATMENT OF PROPHYLAXIS OF )  
CONSTIPATION )  
Confirmation No.: 6477 )  
Group Art Unit: 1655 )  
Examiner: Unassigned )  
Date: August 4, 2006 )

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

**Citation of Technically Related U.S. Patent Applications**

The Examiner's attention is directed to the following technically related U.S. patents or applications of Applicants' assignee:

Inventor	U.S. Serial No. Filing Date	U.S. Patent No. Issue Date	PCT Publication No. PCT Publication Date
Starke et al.	10/220,877 March 5, 2001	6,906,058 June 14, 2005	WO 01/66533 September 13, 2001
Starke et al.	10/399,336 September 16, 2003		WO 02/32428 April 25, 2002
Starke et al.	10/451,262 June 20, 2003		WO 02/50051 June 27, 2002
Starke et al.	10/488,540 July 23, 2004		WO 03/020710 March 13, 2003
Starke et al.	10/489,009 October 8, 2004		WO 03/022825 March 20, 2003
Starke et al.	10/489,010 October 21, 2004		WO 03/022830 March 20, 2003
Starke et al.	10/488,870 October 7, 2004		WO 03/022286 March 20, 2003

Inventor	U.S. Serial No. Filing Date	U.S. Patent No. Issue Date	PCT Publication No. PCT Publication Date
Lindqvist	10/502,355 February 4, 2005		WO 03/061663 July 31, 2003
Starke et al.	10/511,984 October 21, 2004		WO 03/091232 November 6, 2003
Starke et al.	10/518,010 December 14, 2004		WO 03/106482 December 24, 2003
Anderberg et al.	10/520,939 January 12, 2005		WO 2004/006899 January 22, 2004
Starke et al.	10/546,005 August 18, 2005		WO 2004/076430 September 10, 2004

A copy of the specification and claims for each application, in the form of the published PCT application from which such application was filed is being filed herewith. Consideration of each listed application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants petition the Examiner to consider this Information Disclosure Statement and documents listed on the attached Form PTO-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced Application. Accordingly, Applicants do not believe a fee is due for filing this Information Disclosure Statement.

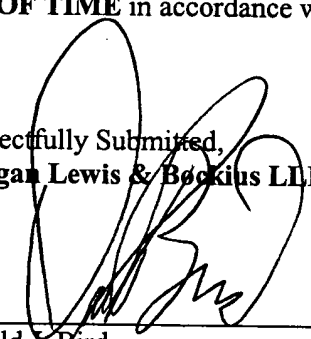
With the exception of a U.S. Patent and published U.S. Application, copies of the listed documents are attached. Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that the listed documents constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully Submitted,  
Morgan Lewis & Bockius LLP



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**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

PTO Form 1449  
August 4, 2006Attorney Docket No.  
056291-5214-USApplication No.  
10/551,999Applicants: ABRAHAMSSON *et al.*

Filing Date: October 4, 2005

Group Art Unit: 1655

**U.S. PATENT DOCUMENTS**

Initial		Document No.	Date	Name	Class	Sub-Class	Filing Date
	1.	US 2002142054	October 3, 2002	Marlett et al.	424	738	September 10, 2001
	2.	US 6,906,058	June 14, 2005	Starke et al.	514	211.1	March 5, 2001

**FOREIGN PATENT DOCUMENTS**

		Document No.	Date	Country	Class	Sub-Class	Translation
	3.	EP 0372542	October 14, 1992	Europe			
	4.	EP 0864582	September 16, 1998	Europe			
	5.	GB 2262888	July 24, 1996	United Kingdom			
	6.	DE 19825804	August 24, 2000	Germany			Abstract
	7.	WO 93/16055	August 19, 1993	WIPO			
	8.	WO 94/18183	August 18, 1994	WIPO			
	9.	WO 94/18184	August 18, 1994	WIPO			
	10.	WO 96/05188	February 22, 1996	WIPO			
	11.	WO 96/08484	March 21, 1996	WIPO			
	12.	WO 96/16051	May 30, 1996	WIPO			
	13.	WO 97/33882	September 18, 1997	WIPO			
	14.	WO 98/38182	September 3, 1998	WIPO			
	15.	WO 98/40375	September 17, 1998	WIPO			
	16.	WO 99/01149	January 14, 1999	WIPO			
	17.	WO 99/32478	July 1, 1999	WIPO			
	18.	WO 99/35135	July 15, 1999	WIPO			
	19.	WO 99/64409	December 16, 1999	WIPO			Abstract
	20.	WO 99/64410	December 16, 1999	WIPO			Abstract
	21.	WO 00/01687	January 13, 2000	WIPO			
	22.	WO 00/38725	July 6, 2000	WIPO			
	23.	WO 00/38726	July 6, 2000	WIPO			
	24.	WO 00/38727	July 6, 2000	WIPO			
	25.	WO 00/38728	July 6, 2000	WIPO			
	26.	WO 00/38729	July 6, 2000	WIPO			
	27.	WO 00/47568	August 17, 2000	WIPO			
	28.	WO 00/61568	October 19, 2000	WIPO			Abstract
	29.	WO 00/62810	October 26, 2000	WIPO			
	30.	WO 01/60807	August 23, 2001	WIPO			
	31.	WO 01/66533	September 13, 2001	WIPO			
	32.	WO 01/68096	September 20, 2001	WIPO			
	33.	WO 01/68637	September 20, 2001	WIPO			
	34.	WO 02/08211	January 31, 2002	WIPO			

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  <b>PTO Form 1449</b> <b>August 4, 2006</b>				Attorney Docket No. <b>056291-5214-US</b>		Application No. <b>10/551,999</b>	
				Applicants: <b>ABRAHAMSSON et al.</b>			
				Filing Date: <b>October 4, 2005</b>		Group Art Unit: <b>1655</b>	
<b>U.S. PATENT DOCUMENTS</b>							
Initial		Document No.	Date	Name	Class	Sub-Class	Filing Date
<b>FOREIGN PATENT DOCUMENTS</b>							
		Document No.	Date	Country	Class	Sub-Class	Translation
	35.	WO 02/32428	April 25, 2002	WIPO			
	36.	WO 02/50051	June 27, 2002	WIPO			
	37.	WO 02/53548	July 11, 2002	WIPO			Abstract
	38.	WO 03/020710	March 13, 2003	WIPO			
	39.	WO 03/022286	March 20, 2003	WIPO			
	40.	WO 03/022825	March 20, 2003	WIPO			
	41.	WO 03/022830	March 20, 2003	WIPO			
	42.	WO 03/061663	July 31, 2003	WIPO			
	43.	WO 03/091232	November 6, 2003	WIPO			
	44.	WO 03/106482	December 24, 2003	WIPO			
	45.	WO 04/006899	January 22, 2004	WIPO			
	46.	WO 04/076430	September 10, 2004	WIPO			
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)</b>							
	47.	Govers et al. "Characterization of the adsorption of conjugated and unconjugated bile acids to insoluble, amorphous calcium phosphate" <i>Journal of Lipid Research</i> 35(5):741-748 (1994)					
	48.	Higaki et al. "Inhibition of ileal Na <sup>+</sup> /bile acid cotransporter by S-8921 reduces serum cholesterol and prevents atherosclerosis in rabbits" <i>Arteriosclerosis, Thrombosis, and Vascular Biology</i> 18(8):1304-1311 (1998)					
	49.	Ishibashi et al. "Hypercholesterolemia in low density lipoprotein receptor knockout mice and its reversal by adenovirus-mediated gene delivery" <i>Journal of Clinical Investigation</i> 92(2):883-893 (1993)					
	50.	Plump et al. "Severe hypercholesterolemia and atherosclerosis in apolipoprotein E-deficient mice created by homologous recombination in ES cells" <i>Cell</i> (71):343-353 (1992)					
	51.	Schiller "Review article: the therapy of constipation" <i>Alimentary Pharmacology and Therapeutics</i> 15(6):749-763 (2001)					
	52.	Sprong et al. "Dietary Calcium Phosphate Promotes <i>Listeria monocytogenes</i> Colonization and Translocation in Rats Fed Diets Containing Corn Oil but Not Milk Fat1" <i>J. Nutrition (US)</i> 132(6):1269-1274 (2002)					
	53.	Van Tilburg et al. "Na <sup>+</sup> -dependent bile acid transport in the ileum: the balance between diarrhea and constipation" <i>Gastroenterology</i> 98(1):25-32 (1989)					
	54.	Welberg et al. "Calcium and the prevention of colon cancer" <i>Scandinavian J. Gastroenterology Suppl.</i> 188: 52-59 (1991)					
	55.	Lewis et al., (1995) "Effects of 2164U90 on ileal bile acid absorption and serum cholesterol in rats and mice" <i>Journal of Lipid Research</i> , 36(5): 1098-1105					
Examiner				Date Considered			
<b>Examiner:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							